

REMARKS

Reconsideration is requested.

Claims 21-37 are pending. Claims 33-35 and 37 have been withdrawn from consideration. Upon entry of the present Amendment, claims 21, 22 and 25-37 will be pending. Claim 22 has been amended to include details from claims 23 and 24. No new matter has been added. The claims are not believed to raise new issues requiring further search and/or consideration. The present Amendment is submitted to place the application in condition for allowance. Entry of the Amendment is requested.

The allowance of claims 21, 25 and 26 is acknowledged, with appreciation.

The indication that claims 28 and 29 contain allowable subject matter is also acknowledged, with appreciation.

The Section 102 rejection of claims 22-24, 27, 30-32 and 36 over U.S. Patent No. 5,863,757, is believed to be obviated by the above amendments. Consideration of the following in this regard is requested.

The Examiner is understood to have relied on the following SEQ ID NO:14 from the cited patent to allegedly anticipate the claims:

RRVYDALNVLMAMNIIS

The sequences of the above claims are as follows, as compared to this sequence of the cited art:

RRVYDALNVLMAMNIIS

SEQ ID NO:14 of cited art

NVLMAMNII

SEQ ID NO:2 of present invention (PI)

RRRVYDALNVLMAMNIISK

SEQ ID NO:3 of PI

NVLMAMNIISKEKKEIKWIG

SEQ ID NO:4 of PI

RVYDALNVLMAMNIIS

SEQ ID NO:5 of PI

YDALNVLMMAMNIISKEKKEIKWIGLPTNSA SEQ ID NO:6 of PI

ALNVLMA

SEQ ID NO:7 of PI

The claims are submitted to be patentable over the cited art.

Specifically, with regard to claim 22, the claimed peptide consisting of SEQ ID NO:2 does not include the recited additional 1-5 amino acid residues at the N- or C-terminus. The recited SEQ ID NOs: 3-6 of claim 22 are not specifically described in the cited art. Moreover, the further recitations of claim 22 wherein the peptide consists of a sequence of SEQ ID NOs:3-6 joined to 1-5 amino acid residues joined to at least one of the N- or C-terminus of the sequence are not described in the cited art.

As for claim 27, the applicants submit that amino acid sequence (ii) is attached to the N- or C- terminus of sequence (i) (i.e., one of SEQ ID NOs: 1-7). The GST tagged sequences of the cited patent are believed to require the presence of one of DP-1 fragments 84-249, 84-204, 149-249 or 84-166, according to Figure 7b of the cited patent: The present claims do not read on DP-1 fragments 84-249, 84-204, 149-249 or 84-166 containing a GST tag.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. Rejoinder and allowance of the previously-withdrawn method claims are also requested.

The Examiner is requested to contact the undersigned in the event anything further is required for allowance.

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Respectfully submitted,

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